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REMARKS

In the Office Action, the Examiner again rejected claims 1-12 and 15 pursuant to 35 U.S.C. § 102(e) as being anticipated by Aime (U.S. Patent No. 6,467,138). Claims 1-10, 12 and 15 were again rejected pursuant to 35 U.S.C. § 102(b) as being anticipate by Corbett et al. (U.S. Patent No. 6,266,857). Claims 1-12 and 15 were rejected pursuant to 35 U.S.C. §102(b) as being anticipated by Lum et al. (U.S. Patent No. 5,701,901). Claims 13 and 14 were objected to as being allowable. Applicants respectfully request reconsideration of the rejected claims, including independent claims 1, 3, 5, 7, 9, and 13.

Claims 1, 3, 5, 7, 9, and 13 recite an electrically conductive acoustic matching layer with an aligned conductor in the matching layer. Aime and Corbett et al. do not disclose these limitations.

The Examiner acknowledges the Jepson type format, but notes that the preamble does not mention a backing layer in order to distinguish the layers and does not positively recite a transducer. However, the claim does positively recite that the improvement is for an electrically conductive acoustic matching layer. An acoustic matching layer is a term of art known to be different than a backing layer. The claim, by using the terms acoustic matching layer, distinguishes from a backing layer. Backing layers are sound absorbing, and matching layers are non-absorbing or low-loss. Since Aime and Corbett et al. are both directed backing layers (see the titles), these two references do not disclose the claimed acoustic matching layer.

New dependent claims 32-36 positively recite the structurally distinguishing transducer and positioning between the patient or lens and the transducer. Based on the Examiner's comments on page 4 of the Office Action dated June 15, 2006, the claims are allowable.

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Lum et al. disclose a matching layer 196 (col. 14, lines 16-23). A groove 210 is cut through the matching layer and filled with a conductive material 212, such as silver epoxy (col. 14, lines 43-53; and Figs 20A, 20B and 21). The matching layer 196 and conductor 212 are coated with an electrically insulating material, and then a small portion on an edge is removed for electrical connection (col. 14, line 65-col. 15, line 11). The electrical connection is made by using as little coverage of the matching layer or possible (col. 15, lines 24-31).

Independent claim 1 recites a metal layer on each of the top and bottom surfaces of the matching layer. Lum et al. coat the top surface of the matching layer with electrical insulating material. Only an edge is removed and as little coverage as possible by the conductor is provided. Lum et al. do not disclose a metal layer on the top and bottom surfaces.

Independent claim 3 recites the conductor and at least one additional conductor aligned between the top and bottom surfaces of the matching layer corresponding to an element. Lum et al. form an element (col. 14, lines 58-64). As shown in Fig. 21, a single groove and conductor are provided. Lum et al. do not disclose a conductor and at least one additional conductor between the top and bottom surfaces of the matching layer corresponding to an element.

Independent claim 5 recites the matching layer comprising castable material. Lum et al. show lapping and adhering the matching layer (col. 14, lines 20-23), but do not suggest a castable material.

Independent claim 7 recites a via between the top and bottom surfaces of the matching layer. Lum et al. use an epoxy filled groove, not a via.

Independent claim 9 recites conductive film extending from the top to the bottom surface at least partially within the matching layer. Lum et al. fill a groove with epoxy, so do not disclose conductive film within the matching layer.

Independent claim 13 was indicated as allowable if amended.

Dependent claims 2, 4, 6, 8 and 10-12 depend on independent claims discussed above, so are allowable for the same reasons as the respective independent claim.

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CENTRAL FAX CENTER****OCT 13 2006****CONCLUSION:**

Applicants respectfully submit that all of the pending claims are in condition for allowance and seeks early allowance thereof. If for any reason, the Examiner is unable to allow the application but believes that an interview would be helpful to resolve any issues, he is respectfully requested to call the undersigned at (650) 694-5810 or Craig Summerfield at (312) 321-4726.

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